

Exhibit F

Appeal Docket

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ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:24-cv-08649-JAV**

In Re: JJ Arch LLC
Assigned to: Judge Jeannette A. Vargas
Case in other court: USBC-SDNY, 24-B-10381 (JPM)
Cause: 28:0158 Notice of Appeal re Bankruptcy Matter (BA)

Date Filed: 11/14/2024
Jury Demand: None
Nature of Suit: 422 Bankruptcy Appeal
(801)
Jurisdiction: Federal Question

In Re**JJ Arch LLC**

represented by **Robert Lorenc**
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Appellant**JJ Arch LLC**

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TERMINATED: 12/11/2024

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V.

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V.

Appellee

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Date Filed	#	Docket Text
11/14/2024	<u>1</u>	NOTICE OF APPEAL FROM THE BANKRUPTCY COURT TO THE S.D.N.Y. from the Order of Judge John P. Mastando III dated October 22, 2024. Bankruptcy Court Case Numbers: 24-B-10381 (JPM). Certified copies of file received.Document filed by JJ Arch LLC..(bkar) (Entered: 11/14/2024)
11/14/2024	<u>2</u>	CIVIL COVER SHEET filed..(bkar) (Entered: 11/14/2024)
11/14/2024		Magistrate Judge Sarah L. Cave is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (bkar) (Entered: 11/14/2024)
11/14/2024		Case Designated ECF. (bkar) (Entered: 11/14/2024)
11/18/2024	<u>3</u>	BANKRUPTCY APPEAL SCHEDULING ORDER: The above-captioned bankruptcy appeal has been assigned to me for all purposes. The appeal was docketed in the District Court on New York on November 14, 2024. Rule 8009 of the Federal Rules of Bankruptcy Procedure ("FRBP") requires appellant to file "a designation of the items to be included in the record on appeal and a state- ment of the issues to be presented." Among other requirements, Rule 8009 provides that, within 14 days after being served, the appellee may file with the bankruptcy clerk and serve on the ap- pellant a designation of additional items to be included in the recorded. The time limits set forth in Rule 8009 are adopted as the Order of this Court. FRBP Rule 8018 provides the schedule for serving and filing briefs. Under Rule 8018, appellant must file its opening brief within 30 days after the docketing of notice that the record has been transmitted or is available electronically. Appellee must serve and file its brief within 30 days after service of appellants brief. Appellant may serve and file a reply brief within 14 days after the service of the appellee's brief. The filing of appellate briefs is not excused in this case. The time limits set forth in Rule 8018 are adopted as the Order of this Court. Counsel are directed to review and comply with the Courts Individual Rules and Procedures (available at the Court's website, http://nysd.uscourts.gov/judge/Schofield) to the extent they are not inconsistent with the

		Federal Rules of Bankruptcy Procedure. Those rules in Section III.B. regarding motion submissions shall apply to this appeal to the extent not inconsistent with the FRBP. Failure to comply with this order and/or the time limits in Rules 8009 or 8018 will result in dismissal of the appeal (in the case of the appellant) or consideration of the appeal without an appellee's brief (in the case of the appellee). (Signed by Judge Lorna G. Schofield on 11/16/2024) (tro) (Entered: 11/18/2024)
12/02/2024	<u>4</u>	ENDORSED LETTER addressed to Magistrate Judge Sarah L. Cave from Jeffrey Simpson dated 11/28/24 re: request humbly to have a short extension of time to arrange for new counsel. ENDORSEMENT: On Thursday, November 28, 2024, the Court received the above correspondence from Jeffrey Simpson ("Mr. Simpson"), a representative of Appellant JJ Arch LLC. Mr. Simpson is advised that all submissions in this matter must be filed on the docket, not by email. For assistance, Mr. Simpson may contact (1) the Court's Pro Se Intake Unit (212-805-0175); (2) its ECF Help Desk (212-805-8000); or (3) the New York City Bar Justice Center's Pro Se Law Clinic (212-382-4794 or fedprosdny@nycbar.org). The Clerk of Court is respectfully directed to send a copy of this Order to Mr. Simpson at the email address listed above. SO ORDERED. (Signed by Magistrate Judge Sarah L. Cave on 12/2/24) (yv) Transmission to Docket Assistant Clerk for processing. (Entered: 12/02/2024)
12/03/2024	<u>5</u>	ORDER:It is hereby ORDERED that by December 13, 2024, Appellant shall (1) file the required record designation and statement of issues, (2) file a letter (addressed to Judge Schofield and not to Judge Cave) requesting an extension to a date certain and providing a basis to find "excusable of neglect" or (3) withdraw the appeal. (Signed by Judge Lorna G. Schofield on 12/3/2024) (tg) (Entered: 12/04/2024)
12/09/2024	<u>6</u>	MOTION for Davidoff Hutcher & Citron LLP to Withdraw as Attorney . Document filed by Davidoff Hutcher & Citron LLP. (Attachments: # <u>1</u> Affidavit Declaration in Support of Motion of Relieving Davidoff Hutcher & Citron LLP as Counsel, # <u>2</u> Exhibit A-Bankruptcy Court Order Relieving Davidoff Hutcher & Citron LLP as Counsel). (Pasternak, Jonathan) (Entered: 12/09/2024)
12/09/2024	<u>7</u>	MEMORANDUM OF LAW in Support re: <u>6</u> MOTION for Davidoff Hutcher & Citron LLP to Withdraw as Attorney . . Document filed by Davidoff Hutcher & Citron LLP.. (Pasternak, Jonathan) (Entered: 12/09/2024)
12/09/2024	<u>8</u>	CERTIFICATE OF SERVICE of Motion to Be Relieved as Counsel & Supporting Memorandum served on JEFFREY SIMPSON on DECEMBER 9, 2024. Service was made by Mail. Document filed by Davidoff Hutcher & Citron LLP..(Glucksman, James) (Entered: 12/09/2024)
12/10/2024	<u>9</u>	LETTER MOTION for Extension of Time <i>to File Designation of Record and Statement of Issues Pursuant to Federal Rule of Bankruptcy Procedure 8009</i> addressed to Judge Lorna G. Schofield from James B. Glucksman dated December 9, 2024. Document filed by Davidoff Hutcher & Citron LLP..(Glucksman, James) (Entered: 12/10/2024)
12/11/2024	<u>10</u>	LETTER addressed to Judge Lorna G. Schofield from Jonathan T. Koevary dated December 11, 2024 re: In re JJ Arch LLC, Case No. 24-cv-08649 (LGS): Opposition of Appellee Arch Real Estate Holdings LLC to Letter Motion to Extend. Document filed by Arch Real Estate Holdings LLC..(Koevary, Jonathan) (Entered: 12/11/2024)
12/11/2024	<u>11</u>	ORDER granting <u>6</u> Motion to Withdraw as Attorney; granting <u>9</u> Letter Motion for Extension of Time. It is hereby ORDERED that Movant's motion to withdraw is GRANTED. The Clerk of Court is respectfully directed to remove Davidoff Hutcher & Citron LLP as counsel of record for Appellant. It is further ORDERED that Debtor/Appellant's deadline to file the record designation and statement of issues, or otherwise comply with the Order, is extended to January 15, 2025; ORDERED that

		Debtor/Appellant must obtain representation through a licensed attorney to appear in this case because it, as an entity, cannot proceed pro se and must appear through counsel. See 28 U.S.C. § 1654; Rowland v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 202 (1993); City of New York v. Mickalis Pawn Shop, LLC, 645 F.3d 114, 130 (2d Cir. 2011). This "rule has been applied to dismiss any action or motion filed by a corporation purporting to act pro se." Grace v. Bank Leumi Trust Co. of NY, 443 F.3d 180, 192 (2d Cir. 2006); accord Kaplan v. Bank Saderat PLC, 77 F.4th 110, 116 n.8 (2d Cir. 2023). Failure to retain counsel or to seek extension of time to do so by January 15, 2025, may result in dismissal of this appeal for failure to prosecute. The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 6 and 9. Attorney James B. Glucksman terminated. (Signed by Judge Lorna G. Schofield on 12/11/2024) (vfr) (Entered: 12/11/2024)
12/12/2024	<u>12</u>	CERTIFICATE OF SERVICE of Order Granting Motion to Be Relieved as Counsel served on Jeffrey Simpson on December 12, 2024. Service was made by Mail. Document filed by Davidoff Hatcher & Citron LLP..(Glucksman, James) (Entered: 12/12/2024)
12/29/2024		NOTICE OF CASE REASSIGNMENT to Judge Jeannette A. Vargas. Judge Lorna G. Schofield is no longer assigned to the case. (vba) (Entered: 12/29/2024)
12/29/2024	<u>13</u>	LETTER addressed to Judge Lorna G. Schofield from Jeffrey Simpson dated 12/29/2024 re: Emergency Action Relief Request. (jjc) (Additional attachment(s) added on 1/2/2025: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10) (nb). (Additional attachment(s) added on 1/2/2025: # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20) (nb). (Additional attachment(s) added on 1/2/2025: # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 24a, # <u>26</u> Exhibit 24b, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30) (nb). (Additional attachment(s) added on 1/2/2025: # <u>33</u> Exhibit 31, # <u>34</u> Exhibit 32, # <u>35</u> Exhibit 33, # <u>36</u> Exhibit 34, # <u>37</u> Exhibit 35, # <u>38</u> Exhibit 36, # <u>39</u> Exhibit 37) (nb). (Entered: 12/30/2024)
12/31/2024	<u>14</u>	LETTER addressed to Judge Jeannette A. Vargas from Jonathan T. Koevary, Esq. dated December 31, 2024 re: Preliminary Response of Appellee Arch Real Estate Holdings LLC to December 29, 2024 Letter Of Jeffrey Simpson. Document filed by Arch Real Estate Holdings LLC..(Koevary, Jonathan) (Entered: 12/31/2024)
01/02/2025	<u>15</u>	MEMO ENDORSEMENT on re: <u>13</u> Letter. ENDORSEMENT: Mr. Simpson seeks relief in several forms from this Court and New York State court. Among his numerous requests, he asks this Court to refer the immediate case to mediation and to remove the purportedly related state cases to federal court. Additionally, Mr. Simpson requests a writ of mandamus and to stay all litigation related to this matter. Lastly, Mr. Simpson requests a conference with the Court to discuss various issues. Mr. Simpson appears to believe himself to be a pro se litigant. However, he is not a party to this bankruptcy action, as the Debtor in this bankruptcy appeal is JJ Arch LLC. Moreover, because Mr. Simpson is not an attorney, he cannot represent JJ Arch LLC in this proceeding. Accordingly, Mr. Simpson cannot seek relief in this court on either his own behalf or on behalf of JJ Arch LLC. By prior order, ECF No. 11, JJ Arch LLC was granted until January 15, 2025, to retain counsel to represent it in this matter. That order remains in effect, and failure to retain counsel may result in the dismissal of this appeal. The Court hereby DENIES all motions made by Mr. Simpson and DENIES the request for a conference as there is no need for one at this time. SO ORDERED. (Signed by Judge Jeannette A. Vargas on 1/2/2025) (rro) (Entered: 01/03/2025)

01/02/2025	<u>16</u>	LETTER addressed to Judge Jeannette A. Vargas from Jeffry Simpson dated 1/2/2025 re: I am writing to apprise the Court that on December 17, 2024, I sent a demand letter to the defendant's counsel proposing a settlement to resolve the above-captioned matter outside of court. In that communication, I offered a two-week period for response, hoping to facilitate a resolution before the new year, thereby potentially aiding in the management of the Court's docket...(nd) (Additional attachment(s) added on 1/8/2025: # <u>1</u> Supplement 1) (kgo). (Entered: 01/03/2025)
01/03/2025	<u>17</u>	MEMO ENDORSEMENT on re: <u>16</u> Letter. ENDORSEMENT: The Court construes this letter as a request for an extension of time for JJ Arch LLC to obtain counsel to represent it in this bankruptcy appeal. The Court GRANTS the motion for an extension of time. The deadlines for JJ Arch LLC to obtain counsel and to file the record designation and statement of issues are both hereby EXTENDED to February 14, 2025. SO ORDERED. (Signed by Judge Jeannette A. Vargas on 1/3/2025) (sgz) (Entered: 01/03/2025)
01/11/2025	<u>18</u>	APPLICATION for the Court to Request Counsel filed by Jeffrey Simpson.(vba) (Entered: 01/14/2025)
01/14/2025	<u>19</u>	APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS document filed by Jeffrey Simpson. (tp) (Entered: 01/14/2025)
01/15/2025	<u>20</u>	MEMO ENDORSEMENT denying <u>18</u> Application for the Court to Request Counsel. ENDORSEMENT: The Application to Request Pro Bono Counsel for debtor JJ Arch LLC, a corporate entity, is DENIED. Per this Court's Order on January 3, 2025 (ECF No. 17), the February 14, 2025 deadline for JJ Arch LLC to obtain counsel remains in effect. The Clerk of Court is respectfully directed to terminate ECF No. 18.. (Signed by Judge Jeannette A. Vargas on 1/14/2025) (sgz) (Entered: 01/15/2025)
01/15/2025	<u>21</u>	NOTICE OF APPEARANCE by Robert Lorenc on behalf of JJ Arch LLC..(Lorenc, Robert) (Entered: 01/15/2025)
01/20/2025	<u>22</u>	Request to Proceed In Forma Pauperis, I.F.P. IS DENIED. (HEREBY ORDERED by Judge Jeannette A. Vargas) (Text Only Order) (Vargas, Jeannette) (Entered: 01/20/2025)
02/14/2025	<u>23</u>	DESIGNATION OF BANKRUPTCY RECORD ON APPEAL re: <u>1</u> Bankruptcy Appeal,. Document filed by In Re JJ Arch LLC, Debtor JJ Arch LLC, Appellant JJ Arch LLC.. (Lorenc, Robert) (Entered: 02/14/2025)
02/20/2025	<u>24</u>	LETTER MOTION for Extension of Time <i>counter-designate the record and cross-appeal pursuant to Rules 8009(a)(2) and (a)(3)</i> addressed to Judge Jeannette A. Vargas from Jonathan T. Koevary dated February 20, 2025. Document filed by Arch Real Estate Holdings LLC..(Koevary, Jonathan) (Entered: 02/20/2025)
02/22/2025	<u>25</u>	ORDER granting <u>24</u> Letter Motion for Extension of Time for Appellee to file Counter-Designation the Record and Cross-Appeal. Appellee's time shall be extended to March 14, 2025. (HEREBY ORDERED by Judge Jeannette A. Vargas)(Text Only Order) (Vargas, Jeannette) (Entered: 02/22/2025)
03/10/2025	<u>26</u>	CERTIFICATE OF SERVICE of Counter Designations served on JJ Arch LLC via Counsel of Record on 03/10/2025. Service was made by MAIL. Document filed by Arch Real Estate Holdings LLC. (Attachments: # <u>1</u> Exhibit Schedule 1 Appellees' Counter Designations).(Koevary, Jonathan) (Entered: 03/10/2025)
03/13/2025	<u>27</u>	LETTER addressed to Judge Jeannette A. Vargas from Jonathan T. Koevary dated March 13, 2025 re: Appeal of the bad faith dismissal of appellants chapter 11 bankruptcy case. Document filed by Arch Real Estate Holdings LLC..(Koevary, Jonathan) (Entered: 03/13/2025)

03/17/2025	<u>28</u>	LETTER addressed to Judge Jeannette A. Vargas from Robert Lorenc dated March 14, 2025 re: Appellees' March 13th Letter - seeking to dismiss appeal. Document filed by JJ Arch LLC. (Attachments: # <u>1</u> Exhibit Confirmation Receipt - Designation of Record - BK Clerk).(Lorenc, Robert) (Entered: 03/17/2025)
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